



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Jin-Guang Teng

Application No.: 10/797,045

Filed: March 11, 2004

For: **DOUBLE-SKIN TUBULAR
STRUCTURAL MEMBERS**

MAIL STOP

Group Art Unit: 3635

Examiner: JEANETTE E CHAPMAN

Confirmation No.: 4689

RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated January 4, 2007, Applicant respectfully requests reconsideration of the rejection of the claims. The withdrawal of the previous grounds of rejection is noted with appreciation.

All pending claims were rejected under 35 U.S.C. §103, on the basis of the Quigley patent in view of the newly-cited Mirmiran et al patent (US 5,599,599). In essence, the Office Action alleges that it would be obvious to substitute an aggregate material, such as concrete disclosed in the Mirmiran et al patent, for the body layer 34 or 44b disclosed in the Quigley patent. Applicant respectfully submits that it would not be obvious to make such a modification to the disclosure of the Quigley patent.

As set forth in MPEP §2143, there are three basic criteria that must be met to establish a *prima facie* case of obviousness. One of these criteria is that "there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the